

REMARKS

Claims 10-14 have been added. Thus, Claims 1-14 are currently pending in the present application, of which Claims 1-9 have been amended.

Please change the title to "METHOD AND APPARATUS FOR CONTROLLING THE POSITION OF A PROBE LOCATION RELATIVE TO A FIXED REFERENCE POINT OF A PROBE PROCESSING EQUIPMENT."

Rejection under 35 U.S.C. § 112

Claims 7-9 were rejected under 35 U.S.C. § 112, second paragraph, for not particularly pointing out and distinctly claiming the subject matter that Applicants regard as the invention. Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Amended Claim 7 now recites "An apparatus for ..." Thus, the § 112 rejection is believed to be overcome.

Rejection under 35 U.S.C. § 103

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamagishi et al.* (JP 10090591 A) in view of *Erickson* (US 3,601,490). Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Claim 1 (and similarly Claim 7) recites a step of "coupling an optical laser apparatus to said probe processing apparatus." The claimed coupling step is not taught or suggested by either *Yamagishi* or *Erickson*.

Claim 1 also recites a step of "detecting a phase difference between said reflected beam and said reference beam." On page 4 of the Office Action, the Examiner asserts the claimed detecting step is disclosed by *Yamagishi* as count value *m*. However, it is clear that a phase difference is different from a count value. In fact, phase differences are not commonly expressed

as count values. Thus, the claimed detecting step is different from the detecting step disclosed by *Yamagishi*.

Because the cited references, whether considered separately or in combination, do not teach or suggest the claimed invention, thus the § 103 rejection is believed to be overcome.

CONCLUSION

Claims 1-14 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1 and 7 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any addition fee or extension of time is required for the prosecution of the present application, please charge it against IBM Deposit Account No. 09-0449.

Respectfully submitted,



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